Foreign Exchange Student Waiver (FES) Frequently Asked Questions (FAQ)

(Update June 1, 2018)

Refer to Texas Education Agency (TEA) Curriculum Division for general information regarding Foreign Exchange Students.

State Waiver General Information

1. Can a district request a waiver to limit the number of foreign exchange students (FES) admitted to the district?
2. What criteria can be used to limit the number of FES?
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4. What period of time may the FES waiver be requested/granted?
5. Can the district reapply for a new FES waiver?
6. What is the minimum number of FES that can be admitted into a district?

State Waiver General Information

1. Can a district request a waiver to limit the number of foreign exchange students (FES) admitted to the district?

The district can request a waiver as per Texas Education Code TEC §25.001 (e) to limit the number of FES it admits to the district.

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2. What criteria can be used to limit the number of FES?

According to TEC §25.001 (e)(1)(2)(3), the district may only limit the number of FES if the commissioner determines that the admission of an FES would:

1) create a financial or staffing hardship for the district;
2) diminish the district’s ability to provide high quality educational services for the district’s domestic students; or
3) require domestic students to compete with foreign exchange students for educational resources.

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All waivers must have local board approval before submitting the waiver application.
3. What is the process for obtaining a waiver?

To obtain a waiver, a district must submit a Foreign Exchange Student waiver application using the TEA’s automated waiver application system, which is available in the online TEA Login (TEAL) secure environment. The commissioner shall respond with an approval or denial no later than the 60th day after the date of receipt of the request.

4. What period of time may the FES waiver be requested/granted?

A waiver granted under this section TEC 7.056 (d) is effective for the period stated in the application which may not exceed three years.

5. Can the district reapply for a new FES waiver?

The district may reapply for a new FES waiver at the end of the period in which the existing waiver will expire. An application for a new waiver may be submitted beginning in July of the year in which the currently approved waiver expires. A district that does not have a FES waiver may submit an application at any time.

6. What is the minimum number of FES that can be admitted into a district?

A district may choose any number above zero as its limit. A limit of five or more per high school may be submitted for a waiver. If the limit is less than five per high school, a general waiver application must be submitted. Only in the most compelling circumstances will a waiver request for less than five per high school be considered.